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NEW YORK

President: Mr. INSANALLY (Guyana)

The meeting was called to order at 10.35 a.m.

AGENDA ITEM 42 *(continued)*

THE SITUATION IN BOSNIA AND HERZEGOVINA: DRAFT RESOLUTION A/48/L.50

Mr. BAUMANIS (Latvia): Today the General Assembly continues addressing the item "The situation in Bosnia and Herzegovina", which for the last 20 months has been the focus of attention within the international community. The Republic of Latvia would like to take this opportunity to stress its full and complete support for the adoption by the Assembly of the draft resolution concerning the situation in Bosnia and Herzegovina, and in particular the urgent request that the Security Council consider exempting Bosnia and Herzegovina from the arms embargo.

For nearly two years the world community has been expressing its continuing horror and anguish at the genocide, "ethnic cleansing" and gross violations of international humanitarian law committed against the Bosnian people, especially the policy of Serbia and Montenegro and the Bosnian Serbs of deporting and massacring civilians, bombing urban communities and building concentration camps.

Latvia commends the efforts that have resulted in the provision of limited humanitarian relief to the people of Bosnia and Herzegovina. Thousands of people have been fed and have received medical care. Thousands of lives have been saved through the gallant efforts of the United Nations peace-keepers present in the former Yugoslavia.

The necessity of finding appropriate solutions and taking effective collective measures for the prevention and removal of threats to peace brought the United Nations together 48 years ago. Those principles are enshrined in the very first article of the Charter of our Organization. It is essential that the United Nations take effective collective measures for the suppression of acts of aggression or other breaches of peace. I emphasize that these must be effective measures which would help put a halt to the present questioning of our Organization's credibility - for the credibility of the United Nations is now at stake.

The lack of political will on the part of those who had the power and the means, and who bore the special responsibility to carry out and ensure the implementation of the Security Council's decisions, sends a very disturbing message. In the case of Bosnia and Herzegovina, responsibilities under the Charter have not been fulfilled, and the United Nations has failed to implement effectively the Charter's collective security provisions. That fact alone is bound to have a major negative impact on the outcome of both current and potential conflicts.

Our Organization is based on the principle of the sovereign equality of all its Members. The feeling that some Members are more equal or less equal than others is therefore regrettable. The United Nations must pay attention to the problems of both large and small States. The security of all States should be a central concern of this Organization.

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Latvia considers the establishment of a precedent of dividing a Member State in the face of aggression to be a questionable solution. If the Serbian conquests and the tragic results of "ethnic cleansing" are allowed to stand, it will set an unfortunate precedent for all potential aggressors around the world. We have seen the model of Serbian aggression re-enacted in Moldova and in Georgia. It is not difficult to foresee that there will be more conflicts in the future, since the Serbian aggression in Bosnia and Herzegovina has to date been a low-cost and low-risk campaign with high yields.

This Organization has imposed a punishing arms embargo on the former Yugoslavia that has effectively established moral equivalence between the victim and the victimizers. The arms embargo, imposed on the former Yugoslavia by Security Council resolution 713 (1991), has resulted in a situation in which one side of the conflict, more heavily armed than the other, has been able to abuse the negotiation process. While putting forth a well-orchestrated appearance that it seriously wishes to negotiate peace, this side has continued its armed aggression and atrocities against the people of Bosnia and Herzegovina.

Through its co-sponsorship of the draft resolution before the General Assembly, Latvia wishes to affirm its position, previously expressed by its co-sponsorship of General Assembly resolutions 47/121 and 46/242, that the Government of the Republic of Bosnia and Herzegovina should be exempted from the arms embargo imposed on the former Yugoslavia by Security Council resolution 713 (1991), for the sole purpose of enabling Bosnia and Herzegovina to exercise its inherent right of self-defence. If the international community cannot provide effective defence, it cannot morally deny the right of self-defence to the people of Bosnia and Herzegovina.

The right to self-defence is an inherent right of any sovereign State. It is one of the fundamental principles of international law enshrined in the Charter. No international body has the right to take it away or to curb it, especially if it cannot or will not provide an adequate defence for the victim. To continue to impose a stranglehold on a victim engaged in a life-or-death struggle is morally and legally unacceptable, as is the non-differentiation between aggressor and victim. Bosnia and Herzegovina is part of our family of nations and it deserves a defence of its territorial integrity and sovereignty.

Mr. KOVANDA (Czech Republic): It bears recalling that the situation in Bosnia and Herzegovina which we are deliberating today is the third war to take place on the territory of the former Yugoslavia. First came the short war between Serbia and Slovenia for the independence of Slovenia. Then came the war between Serbia and Croatia for the territorial integrity of Croatia.This third war is being waged for the very existence of Bosnia and Herzegovina. Of the three, it has been in many ways the most devastating.

First, the war is destroying a country. No matter what some may feel today about how viable Bosnia and Herzegovina was in the first place, the fact is that this country was widely recognized internationally as an independent State and admitted as such to membership of the United Nations. Today this State is perilously close to dismemberment. There is talk of a loose confederation, of a union of Republics of Bosnia and Herzegovina. We are not here to give anyone advice on how to organize their own country, but in creating our own State we were guided by the experience that confederations are basically unstable. We therefore fear that such a union, if created, might rapidly disintegrate, perhaps into three mini-States, with two of them perhaps merging with their neighbours. Bosnia and Herzegovina as we know it will have ceased to exist.

Secondly, the war has destroyed our illusions. The cold war is over, but local troubles have multiplied. Its end has brought nothing but torment to Bosnia and Herzegovina. In the face of a determined aggressor, European and international diplomacy has proved impotent. For Bosnia and Herzegovina, the new world order has turned into an old Balkan chaos. For this country, bodies such as the Conference on Security and Cooperation in Europe and others have done little for cooperation and even less for its security.

Thirdly, there is what one might call the "regular" destruction wrought by war. The war has etched into our consciousness polysyllabic names with which few were familiar before, such as Sarajevo and Srebrenica. It has expanded the arsenal of present-day warmongers with new weapons systems and euphemisms, such as "ethnic cleansing". It has added to the array of military tactics an unbelievably brutal one, one available to even the poorest army: the use of systematic rape for subjugating the adversary. It has enriched the vocabulary of Orwellian newspeak by such terms as "safe areas", where people rejoice over foggy weather because the snipers cannot target them as carefully, or indeed, again, "ethnic cleansing" - which makes bullets sound like disinfectant, cutthroats like janitors or charwomen.

All of this is the consequence of extremist nationalism and religious intolerance. The Czech people are astonished that, at the end of the twentieth century, extremists espousing such ideologies can still prevail. Nationalist

hatreds pitting Serbs against Croats, religious hatreds pitting Orthodox Christians against Catholics, and both of them against Muslims, is something we felt Europe had outgrown.

Extremist nationalism is an anachronistic concept of statecraft. Surely one lesson of the twentieth century has been that countries whose *raison d'etat* is based on ethnicity or religious dogmatism are more problematic, both for their own people and for their neighbours, than countries based on civic principles - that is, on principles of equal human rights for all citizens, irrespective of their creed, mother tongue or skin colour, and of the equality of all citizens before the law.

Ethnicity is seldom a satisfactory guide to drawing international borders. Different-coloured patches on the map seldom represent an ethnically uniform population. More usually, a State with blue people contains an area with red people; this red area contains a blue village; this blue village contains a block or two of red houses. Boundaries between ethnic groups are seldom sharp. Ethnic groups are usually intermingled, dividing lines between them are usually fuzzy, best described by the new mathematical field of fractal geometry. In fact, these boundaries pass right through us personally. Few of us are pure red or pure blue - we are mostly different hues of purple or violet, lilac or lavender.

Therefore, the creation of enclaves built on ethnicity is probably not much of a permanent solution. It is even less a solution for Bosnia and Herzegovina, a country which was quite exemplary in the tolerance its population used to exhibit. This country of 4 million people featured 300,000 mixed marriages, among all three groups. It demonstrated and exhibited in practice the virtues of a civic society based on the equality of citizens.

Reducing Bosnia and Herzegovina to an ethnically "pure" Muslim Bosnian mini-State is hardly a solution to today's tragedy, even if Bosnians themselves were to agree to it. It would more likely amount to another problem, one which would come back to haunt us in the future. The solution we all really need is not only one that will be agreed to by all parties concerned, but also one that will guarantee a stable and lasting way out of the crisis.

The draft resolution we are to vote upon is one of wholehearted support for Bosnia and Herzegovina. My delegation views it with great sympathy, but we share certain misgivings that several other delegations have voiced here. We will not be able to vote in favour of it. Nevertheless, I am authorized to point out in this context that, with the passing months, the Czech Republic is less and less sure of the wisdom of maintaining the arms embargo on Bosnia and Herzegovina.

Mr. ERDŐS (Hungary) *(interpretation from French)*: The terrible tragedy that continues to rend Bosnia and Herzegovina is an event without precedent in post-War European history. For 20 months we have been spectators - helpless spectators - of aggression, territorial conquest, "ethnic cleansing", intolerance of every kind, and continuing massive, flagrant, systematic violations of human rights. It is hard to resign ourselves to this situation, but the international community has thus far proved incapable of dealing with the true dimensions of the crisis and of resolving it. Most regrettably, that is no less true of international and regional organizations affected by the conflict than of the individual States that make up our world Organization.

So it is no surprise that Hungary should share the frustration and disappointment of the sponsors of draft resolution A/48/L.50. One wonders about the reasons for this inability to respond to legitimate expectations with respect to effective United Nations participation in the settlement of the crisis in the former Yugoslavia, and particularly in Bosnia and Herzegovina. In that context, the admirable role played by the international community in providing humanitarian assistance, however vital, to the Bosnian people is nothing more than a surface endeavour and is no substitute for a political approach and for the search for a comprehensive, lasting and fair settlement.

We are firmly convinced that in that search we cannot disregard the fundamental distinction between aggressor and victim. If we fail to make that crucial distinction, if we prove willing to tolerate the acquisition of territory by armed force, if we acquiesce in situations resulting from the forcible alteration of the age-old ethnic composition of entire cities and regions, if we allow those responsible for these crimes to escape justice, we shall only be encouraging those who are behind these designs, whetting their appetites, suggesting that aggression pays, and destroying the United Nations system.

In so doing we would also be giving unintentional support to the ambition - unbelievable in the Europe of the late twentieth century - to gather, through violence, communities belonging to the same ethnic or religious family in an ethnically pure nation-State, and thus to build new Berlin walls and establish new ethnic and religious segregation. Such a message from the international community would be calamitous, and its consequences in the region and beyond would be unpredictable. We can harbour no illusions about containing or localizing the consequences of this tragedy, or sparing the rest of the world from them. It is no less erroneous to think that this

is the way to fight flagrant demagoguery, aggressive nationalism, virulent revanchism or bellicose behaviour wherever they appear amidst the storms that blow in such places as eastern Europe. The particularly bloody modern history of our old continent has more than once shown the baleful and shameful result of such attitudes.

As it searches for a solution to the tragedy, the international community has something to rely upon, something to inspire it: the relevant resolutions of the General Assembly and the Security Council and the documents of the London International Conference on the former Yugoslavia, which set out the principles that must be the basis of any solution to the crisis in Bosnia and Herzegovina. Those principles include the cessation of hostilities, the safeguarding of the country's sovereignty and territorial integrity, the inadmissibility of the acquisition of territory by force, the elimination of the consequences of "ethnic cleansing", and the return of refugees and displaced persons to their homes. All those principles, which Hungary supports unreservedly, are of crucial importance. Indeed, a just and lasting settlement would be inconceivable unless they were taken into account. Nor could genuine peace and security be restored without a settlement of the problems relating to the crisis in other parts of the former Yugoslavia. The question is whether or not the international community is prepared, whether or not it is ready to champion the principles it has so often proclaimed. The necessary determination appears still to be lacking. That is why we attach such importance to reaffirming our commitment to those principles.

The international community and world public opinion are understandably disappointed at the continuing violation of the provisions of the Security Council resolutions on Bosnia and Herzegovina, and at the prospect of the dramatic dismemberment of a State Member of the United Nations. They are baffled by the failure of the United Nations system of collective security and are bitter about the dubious effectiveness of efforts to remove the consequences of aggression. The serious failure of the international community fully and consistently to implement its own decisions and resolutions underlies the tragic current situation in Bosnia and Herzegovina 20 months after the beginning of the siege of Sarajevo, eight months after the designation of eastern Bosnian cities as "safe areas", and after the death of 200,000 persons, the exile of millions of refugees and the destruction of a priceless historical heritage that belongs not only to the peoples of Bosnia and Herzegovina but to the cultural heritage of the world.

We know that there can be no solution to the crisis other than a political settlement negotiated in the framework of the International Conference on the former Yugoslavia. That is no less true for our being aware that the Vance-Owen and Owen-Stoltenberg plans are less than perfect and that an "ideal" peace will be impossible to achieve.

We also note that the proposals contained in the Geneva package are not always in conformity with the principles set forth in Security Council resolutions and in the documents of the London Conference. At this stage, however, we believe that our main objective should be an immediate end to the bloodshed.

Hungary supports the draft resolution before us, which is sponsored by some 40 countries. We know how valuable were the efforts that, during consultations, the sponsors made to have the text amended and improved significantly. We also take note of paragraphs 17 and 19 of the draft resolution. We venture to hope that this draft resolution, once adopted, will serve as an uncontestable reminder of the facts, will offer a strategy for a settlement, and will make a contribution to the efforts under way to find a solution which, in extremely difficult and delicate circumstances, would be in conformity with the European Union's initiative on the former Yugoslavia and would faithfully take into account the noble principles that underlie the entire system of international relations.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish):* We regret that, once again, we have to participate in a debate on the situation in Bosnia and Herzegovina. I say "regret" because, since the last occasion on which we discussed the question, the situation in that unfortunate region of the world has not improved at all. Indeed, it has worsened considerably, both in political terms and in terms of respect for humanitarian law.

Aggression against a State recognized by the United Nations and the unlawful appropriation of a large portion of its territory are a regrettable fact with which we must live daily. Equally reprehensible are the horrendous violations of human rights, committed not impulsively, in the heat of passion, but as the result of carefully planned political action to weaken the morale of the victim. It is not necessary to go into the details, as we are all familiar with them. So we simply express the regret we feel at having to speak about the matter.

What is surprising about all of this is that practically all States Members of the United Nations are familiar with the situation and earnestly hope for an end to the flagrant violations of the Organization's Charter and of human rights. Why, then, has nothing been accomplished during this long period? Nobody has a clear remedy at hand. When people talk about this matter the response is almost always the same: we were taken by surprise, and now it

is difficult to do anything effective - except for an active military intervention, which, for obvious reasons, no State wants to risk. This determination is intended to be realistic, but it has merely resulted in pessimism.

My delegation believes that we must guard energetically against this attitude. We cannot - we must not - allow a State Member of this Organization to disappear gradually, before our very eyes, as the result of the totally unjustified aggression of a neighbouring State. If we accepted such aggression, we would bring discredit on the United Nations, which, basically, was created to prevent such situations. We must therefore make every physical and moral effort to avoid the obliteration of a State and to protect the prestige of this Organization.

The draft resolution which is before the Assembly, and of which my delegation is a sponsor, is indeed designed to ensure that everything possible is done to achieve that objective. As can be seen from a reading of the draft, it contains many varied ideas - all of them realistic and properly focused. It could be said that none of these ideas, on its own, is sufficient to reverse the situation in the former Yugoslavia. Together, however, they could bring some relief.

Above all, this draft resolution has the merit that it would ensure that the tragedy in Bosnia and Herzegovina does not fall into oblivion. That is precisely what the forces of aggression would like to happen. But it must not happen. We cannot accept the ominous thought that whenever there is less talk of Bosnia and Herzegovina, there appears to be less interest in the subject. We must continue to talk about Bosnia until something is done.

The delegation of Costa Rica believes that words which are sincere and well-intentioned cannot be idle words. For this reason, we are confident of the value of this debate and of the need to ensure that the draft resolution before the Assembly is approved overwhelmingly.

Before concluding, I should like to refer once again to the arms embargo against Bosnia - something that has always been difficult to defend. We have on other occasions expressed our opposition to this embargo, contending that it limited the right of self-defence of a State that has been the victim of aggression. We agree that the situation that has been created as a result of the relevant Security Council resolution is not easy to resolve. The embargo was imposed on all the parties involved in the struggle in the former Yugoslavia, and we understand why there are those who believe that it would now be difficult to lift it in respect of just one party without undermining the basic reason for the embargo in the first place. However, any solution must make it possible for the defenseless victim of aggression to exercise the indispensable right of self-defence - a right that no one else can give it.

I should like to remind the Assembly that, 50 years ago - during the Second World War - before the United States had declared war on the Axis countries, there was a strong feeling in the United States in favour of the Allies and against the Axis countries. Before the United States declared war, however, it had to maintain neutrality and to refrain from supplying weapons to friendly countries, including Canada. But a stratagem was used: military aircraft that it desired to give Canada were placed close to the border between the two countries, just a few metres from Canadian territory. Crews were not provided, and the engines were not running; the aircraft were towed by rope across the border, into Canadian territory. This stratagem, which was conceived by the Government of President Roosevelt, of fond memory, was used on many occasions. Often, it was seen in the newsreels which at that time were shown in cinemas before the feature film. It was a clever ploy of the great President Roosevelt, and it took care of a difficult situation without violating any laws.

We wonder what has happened to the rope that was used at that time. Could not someone today find a similar means of coming to the assistance of Bosnia? We hope that such a person will appear.

Mrs. JAGAN (Guyana): The Guyana delegation wishes to express its profound sorrow at the tragic situation existing in Bosnia and Herzegovina. We are gravely concerned at the agony and extreme suffering of the peoples of Bosnia and Herzegovina. It is regrettable that after almost five decades since the end of the Second World War there should be a situation in Europe which again causes pain and distress throughout the world. There have been serious violations of human rights that have horrified the international community.

The Charter under which the United Nations operates makes clear that one of the main purposes of the Organization's existence is the maintenance of international peace and security. In this context it calls for the taking of effective collective measures for the prevention of war and the removal of all threats to peace, as well as for the suppression of all acts of aggression and other breaches of the peace. The *raison d'être* of the United Nations is to use its offices to bring about by peaceful measures and in conformity with the principles of the Charter and international law the settlement of disputes which lead to conflict.

The question one may ask is: has the United Nations fulfilled its duties and commitments as regards the situation in Bosnia and Herzegovina? We know that the Security Council has been seized of this issue and has in fact adopted several resolutions thereon. However, despite that, the suffering, loss of life and physical destruction continue unabated. Firm action needs to be taken at the level of the Security Council to fulfil the commitment of the United Nations to restoring normalcy to the people of that country.

The right to live is the most basic right of all human beings. The world community has watched with horror what has been taking place in Bosnia and Herzegovina and would wish peace to prevail in that troubled land. Humanitarian assistance to ease the terrible burden borne by the victims of the conflict in Bosnia and Herzegovina, particularly women and children, is imperative. As winter takes its hold in the region, the suffering of the population will be greatly heightened. While we commend the United Nations High Commissioner for Refugees for the role she has played in providing relief, we must recognize that much more needs to be done to alleviate a worsening humanitarian situation.

The practice of "ethnic cleansing" and the wanton destruction of the cultural heritage of the peoples of the area, which have featured so prominently in many reports, must not be condoned. As a country with its own interesting and diverse mix of ethnic groups and social and cultural traditions, Guyana knows only too well some of the difficulties that can accompany this phenomenon. We are especially conscious of the need to preserve the rich heritage that is the result of the blending of different cultures and the coexistence of many ethnic groups. We therefore urge all the parties to the conflict to seek to preserve that precious heritage. The international community bears an important responsibility in ensuring the discontinuance of unacceptable practices and the preservation of the societies in question. Each State Member of this body must exercise its responsibility to achieve that end.

The statement by the representative of Bosnia and Herzegovina expressed his country's commitment to reaching a negotiated peace despite numerous failures to find a principled solution. We firmly support that position.

The draft resolution before us deserves our careful consideration, since its implications are many and important. In our quest for peace we must be careful about establishing precedents which in themselves may create problems. Above all, we must urge and maintain our main objective: to bring peace and an end to the suffering of the people of Bosnia and Herzegovina.

The PRESIDENT: The sponsors of the draft resolution before us have requested a 10-minute suspension of the meeting to allow for consultations, in the hope that this will facilitate action on the draft resolution. Since, obviously, those consultations have already started, I now propose to suspend the meeting for 10 minutes.

The meeting was suspended at 11.15 a.m. and resumed at 11.40 a.m.

The PRESIDENT: I now call upon the representative of Bosnia and Herzegovina, who will make an oral revision to the draft resolution before us (A/48/L.50).

Mr. SACIRBEY (Bosnia and Herzegovina): I should like to refer to paragraph 25 of draft resolution A/48/L.50. We would propose adding to the paragraph the words "subject to the provisions of Security Council resolution 827 (1993), and" after the opening phrase. Paragraph 25, as revised, would then read:

> "Encourages the Commission of Experts, subject to the provisions of Security Council resolution 827 (1993), and in cooperation with the Prosecutor of the International Tribunal on the former Yugoslavia, to facilitate the work of the International Tribunal, including the establishment of a record of violations such as ethnic cleansing and systematic rape".

The PRESIDENT: We shall now proceed to consider draft resolution A/48/L.50, as orally revised.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. FEDOROV (Russian Federation) *(interpretation from Russian)*: The Russian Federation has consistently supported the international efforts to find a peaceful settlement to the crisis in the former Yugoslavia and the initiatives taken in that regard. It is our profound conviction that it is vitally important to ensure that all United Nations actions be designed to assist in so far as possible the peace efforts and negotiations in Geneva which have a chance of putting an end to the ongoing bloodshed and of bringing about a political settlement of this terrible conflict.

The Geneva process has been given additional impetus by the European initiative. This is in keeping with our belief that it is indispensable, first and foremost, to reach a peaceful settlement and a peace agreement for Bosnia

and Herzegovina. Only a political solution can open the road to peace.

In those circumstances it is Russia's deep conviction that the world community, as represented in the United Nations, must send a clear signal to encourage the parties to reach a peaceful settlement and avoid any steps that might tend to exacerbate the conflict and further complicate the negotiating process.

On that basis we believe that the draft resolution now before the Assembly on the situation in Bosnia and Herzegovina must be balanced and that it must reflect the obvious fact that the key to any settlement lies in the hands of all three parties to the conflict.

This, indeed, was the aim of the amendments suggested by the Russian delegation to the sponsors of the draft resolution. We proposed, in particular, the deletion from the text of the draft resolution of the paragraph under which the Assembly would urge the Security Council to give all due consideration to lifting the embargo on arms shipments to the Republic of Bosnia and Herzegovina. We are convinced that such a step would only open the way to a further escalation of the bloodshed and jeopardize not only the entire negotiating process but also the mission of the United Nations Protection Force (UNPROFOR) in the former Yugoslavia and create a real threat of the conflict's spilling over beyond the Republic of Bosnia and Herzegovina to involve neighbouring countries in the region.

Accordingly, we proposed that we also delete the paragraph in which the Assembly would urge all States to cooperate with the Republic of Bosnia and Herzegovina in the exercise of its inherent right of individual and collective self-defence in accordance with Article 51 of Chapter VII of the Charter of the United Nations.

However, neither those nor a number of other amendments suggested by the Russian delegation were taken into account.

In view of the foregoing, the Russian delegation cannot vote in favour of the draft resolution in document A/48/L.50 and will therefore abstain in the voting.

If paragraphs 17 and 19 of the draft resolution were put to a separate vote, the Russian delegation would vote against them, because their provisions contradict Security Council resolutions and are not at all valid.

Mr. SREENIVASAN (India): My delegation has already expressed its views on agenda item 42, entitled "The situation in Bosnia and Herzegovina", including the draft resolution contained in document A/48/L.50.

India fully supports the efforts being made by the international community, and particularly the two Co-Chairmen of the International Conference on the Former Yugoslavia, to arrive at a fair, reasonable and irreversible political agreement acceptable to all three parties to end the tragic conflict in Bosnia and Herzegovina.

India fully supports the basic thrust of the draft resolution, especially the responsibility of the international community in upholding the territorial integrity and sovereignty of a Member State, the need to create an appropriate negotiating environment to reach an equitable and durable solution, and the need to facilitate the delivery of humanitarian assistance.

At the same time, we are concerned that the draft resolution has a certain lack of balance and that it has certain technical and legal implications which we cannot fully endorse. Although there may be political compulsions for the General Assembly to recommend a certain course of action in this particular case, the principles of the United Nations Charter and the scheme it envisages to deal with matters relating to international peace and security should be strictly followed.

In this context, we have repeatedly stressed the principle of United Nations command and control of actions authorized by the Security Council. Similarly, the call for resort to the provisions of Article 51 of the Charter should be seen in the light of the existing United Nations arms embargo and the steps taken by the Security Council in order to maintain international peace and security in the areas comprising the former Yugoslavia.

The question of suspension or expulsion of Members is equally complex. India abstained on resolution 47/1 of 22 September 1992. The contents of operative paragraph 19 of the draft resolution must be seen in the light of the provisions of Articles 12 and 18 of the Charter.

My delegation is constrained to abstain on the draft resolution on account of these difficulties. This does not, however, detract from our support to appropriate international action to end the suffering of the people of Bosnia and Herzegovina through a peaceful and negotiated settlement of the crisis.

Mr. MUTHAURA (Kenya): I wish to explain Kenya's vote on draft resolution A/48/L.50 and the request for separate votes on operative paragraphs 17 and 19.

For the second year running, the international community is faced with the serious and tragic situation in Bosnia and Herzegovina. When the Assembly considered this agenda item last year it adopted resolution 47/121 in the hope that the efforts of the international community, with the cooperation of all the people of Bosnia and Herzegovina, would have positive results. Unfortunately, however, the situation has remained very depressing. Acts of aggression and gross violations of human rights are still the order of the day in Bosnia and Herzegovina.

My Government strongly condemns the acquisition of territory by force of arms, acts of genocide, "ethnic cleansing", the torture of innocent civilians and the denial of humanitarian assistance. It is therefore paramount that humanitarian assistance continue to flow unhindered and be provided to all civilian populations, especially those under siege, without hindrance from any of the warring parties.

The situation in Bosnia and Herzegovina is an extremely delicate issue, which must be handled with the utmost care by all peace-loving people. No matter how many resolutions we may adopt, peace cannot be achieved in the Balkans without the political will of all the leaders and the people of the former Yugoslavia. For this reason, we believe that the following verities are still valid.

First, the strategy of territorial gains by force cannot lead to a solution. Instead, it will further compound the already complex situation in Bosnia and Herzegovina. Secondly, history has proved that the lifting of an arms embargo leads to the creation of alliances, with the danger of escalating the war. Hence, we do not believe that arming Bosnia and Herzegovina would necessarily enhance the negotiating position of the Bosnian people to win a peace settlement with the parties involved, in view of the internal complexity of Bosnia and Herzegovina. It is the responsibility of the Security Council and the entire membership of the United Nations to end the war in Bosnia and Herzegovina and to ensure that the Bosnian people live under secure and peaceful conditions.

Thirdly, the exclusion of the Federal Republic of Yugoslavia (Serbia and Montenegro) from participation in the proceedings of the Assembly has deprived us of the possibility of listening to the Federal Republic of Yugoslavia, which has the primary responsibility to explain to the Assembly why it cannot utilize all the possibilities open to it to facilitate the cessation of war in Bosnia and Herzegovina.

Kenya is convinced that the opportunities for a peaceful negotiated settlement have not been entirely lost. The positive role being played by the international community, through both the presence of the United Nations Protection Force in the area and the tireless efforts of international peace mediators, must be accompanied by the necessary political will, on account of the three ethnic groups in Bosnia and Herzegovina. This must happen now. It is for this reason that my delegation will once again abstain on the draft resolution regarding the situation in Bosnia and Herzegovina.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.50, as orally revised by the representative of Bosnia and Herzegovina.

I wish to announce the following additional sponsors of the draft resolution: Mali and the Marshall Islands.

A separate vote has been requested on operative paragraphs 17 and 19. Is there any objection to this request?

Mr. SACIRBEY (Bosnia and Herzegovina): On behalf of the sponsors of the draft resolution, I wish to say that we object to the proposal for a separate vote on paragraphs 17 and 19. The draft resolution before us, A/48/L.50, is designed to be comprehensive in addressing the steps towards peace. Any attempts to divide it and take out essential elements will deprive the draft of its comprehensive approach, which envisages humanitarian, political and, if appropriate, further necessary measures to deliver peace.

The Republic of Bosnia and Herzegovina has fully and sincerely participated in all attempts to bring about a negotiated settlement and has given its full support to the latest European Union initiative. Unfortunately, the Serbs of Bosnia and Herzegovina and Serbia have failed to negotiate in good faith and have ignored the political and diplomatic efforts of the international community to deliver fruitful talks. We must envisage all further options for Bosnia and Herzegovina to exercise its full right of self-defence and to bring about a more appropriate environment for talks and the necessary political will to become part of the Serbian mind-set.

The PRESIDENT: As the Assembly has heard, the representative of Bosnia and Herzegovina has raised an objection to the request for division. In accordance with rule 89 of the rules of procedure of the General Assembly,

> "If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against."

Do any members wish to speak on the request for division?

I call on the representative of the Comoros.

Mr. MOUMIN (Comoros): My delegation, having heard the statements of our colleagues from Kenya and Bosnia and Herzegovina, is fully behind the statement made by the latter. We believe that in voting separately on the two paragraphs mentioned we would be destroying the draft resolution as it has been composed. We therefore believe that the draft resolution has to be voted on as a whole; there should not be separate votes on some of its paragraphs.

The PRESIDENT: I now call on the representative of Costa Rica.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish)*: A few moments ago, when I spoke in the debate as a co-sponsor of the draft resolution, I pointed out that, taken separately, each one of its paragraphs would not have sufficient force to reverse the situation in Bosnia. I insisted that only the draft resolution as a whole could be a worthy solution to the matter at hand. At that time I did not think I would have to defend that idea in such short order. Now, in the light of the proposal for a separate vote on paragraphs 17 and 19, I wish to express the same idea in a more methodical fashion.

If the situation in Bosnia is to be dealt with, we cannot and must not deal only with its humanitarian aspects, which are so closely linked to the political and military aspects that it is impossible to separate them. In this regard I wish to say that when I mentioned the horrendous violations of human rights, I said that the worst thing about them was that those acts were not committed impulsively or in the heat of passion, but, rather, were the consequence of a deliberate, cold and calculated attitude with political ends. That shows the linkage between the three aspects. Hence, we cannot separate the humanitarian aspect from the political and military aspects, because in so doing we would fall into a grave error.

I wish to quote, in this regard, an outside opinion, expressed by Mr. José María Mendilucci, the former Special Envoy to Yugoslavia of the Office of the United Nations High Commissioner for Refugees (UNHCR). In a major presentation on Yugoslavia, Mr. Mendilucci said,

> "The fact that the international community has based its strategy mainly on humanitarian-assistance aspects instead of taking a political decision forced the Office of the United Nations High Commissioner for Refugees (UNHCR) to try to prevent the worst, well-known and predictable humanitarian consequences. That is to say, it had an incomplete strategy for preventing this war."

He added:

> "We had the impression that ..." -

The PRESIDENT: I apologize for interrupting the representative of Costa Rica, but we are crossing the line between speaking on the request for division and making a statement. May I ask him kindly to wind up his statement.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish)*: Yes, Mr. President, I shall conclude my statement at this point.

The PRESIDENT: We have now heard the two speakers, the representatives of Costa Rica and the Comoros, against the request for division. Are there any speakers in favour of the request for division?

As there appear to be none, I shall now, in accordance with rule 89, put the motion for division to the vote. That is to say - and I wish the Assembly to be very clear on this - we shall vote on Kenya's request for separate votes. A recorded vote has been requested.

A recorded vote was taken.

In favour: Belarus, Kenya, Malawi, Russian Federation, Tajikistan, Togo, Zaire

Against: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of

Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sudan, Suriname, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Zambia

Abstaining: Angola, Armenia, Brazil, China, Côte d'Ivoire, Ecuador, Gabon, Ghana, India, Iraq, Kazakhstan, Lesotho, Mexico, Mongolia, Myanmar, Nepal, Sri Lanka, Swaziland, Thailand, Ukraine, United Republic of Tanzania, Uruguay, Venezuela, Zimbabwe

The motion for division was rejected by 128 votes to 7, with 24 abstentions.

The PRESIDENT: I now put to the vote draft resolution A/48/L.50, as orally revised by the representative of Bosnia and Herzegovina.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Fiji, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia

Against: None

Abstaining: Andorra, Argentina, Armenia, Belarus, Belgium, Benin, Brazil, Bulgaria, Burundi, Canada, China, Côte d'Ivoire, Czech Republic, Denmark, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Iceland, India, Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malawi, Malta, Mexico, Monaco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Spain, Swaziland, Sweden, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Zaire, Zimbabwe

Draft resolution A/48/L.50, as orally revised, was adopted by 109 votes to none, with 57 abstentions (resolution 48/88).

The PRESIDENT: I shall now call on those representatives wishing to speak in explanation of vote. May I remind members that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. KHANDOGY (Ukraine): The delegation of Ukraine would like to explain its abstention in the voting on the draft resolution (A/48/L.50) submitted under the agenda item entitled "The situation in Bosnia and Herzegovina".

We appreciate the efforts of the sponsors of the draft resolution to find language acceptable to all delegations. Ukraine agrees with the resolution's basic thrust and with many of its provisions - especially those dealing with the preservation of the sovereignty and territorial integrity of Bosnia and Herzegovina.

Of particular importance to us is operative paragraph 16, under which the Assembly expresses deep alarm at the continuing systematic abuses committed against minorities - and there are Ukrainians among these minorities - who are suffering enormously as a result of the heightened hatred in the former Yugoslavia. Despite that, however, we cannot support certain formulations in the resolution - particularly those concerning the exemption of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia by Security Council resolution 713 (1991).

Ukraine's position on this matter was stated in the Security Council at its meeting on 29 June 1993. We believe that lifting the arms embargo could only lead to further escalation of the conflict, resulting in even more unbearable suffering for the civilian population and in a dead end so far as solution of the problem is concerned.

More arms in the area would inevitably create additional threats to the security of the United Nations Protection Force (UNPROFOR), which, notwithstanding considerable losses, is doing its utmost to protect the civilian population and to ensure the delivery of humanitarian aid to the needy.

As a contributor of troops to Sector Sarajevo - one of the hottest spots in Bosnia and Herzegovina - Ukraine is deeply concerned that the eventual lifting of the arms embargo would place the Ukrainian contingent, as well as the contingents of other countries, which have already suffered heavy losses, in an extremely dangerous situation.

While expressing its concern about the possible intensification of hostilities, Ukraine stands for strict compliance with all Security Council resolutions on Bosnia and Herzegovina. In our view, additional arms cannot bring peace to Bosnia and Herzegovina. We strongly believe that placing the heavy armaments of Bosnian Serbs under effective United Nations control would help to lower the level of armed confrontation and, thereby, make it unnecessary to consider lifting the arms embargo.

We should like to reiterate that, for all practical reasons, Ukraine considers promotion of the negotiation process to be the only possible means of resolving the conflict peacefully. A settlement should be based on the following principles: immediate cessation of hostilities; withdrawal from the territories occupied by force or through "ethnic cleansing"; elimination of the consequences of the condemnable policy of "ethnic cleansing"; return of all Bosnian refugees to their homes; and restoration of the territorial integrity and unity of the Republic of Bosnia and Herzegovina.

Mr. ALBIN (Mexico) *(interpretation from Spanish)*: A year ago, we met here to consider a draft resolution on this same subject. At that time - as now - the international community expressed its deep concern at the situation in Bosnia and Herzegovina. I regret to say that, since then, there has been no improvement in the situation of that State Member of the United Nations.

For the Government of Mexico, the continuing violations of human rights, the policies of "ethnic cleansing" and the acts of aggression aimed at the acquisition of territory by the use of force are a matter of great concern. Mexico rejects any action designed to limit or obliterate the political independence, territorial integrity, self-determination and, finally, the sovereignty of Bosnia and Herzegovina.

Mexico joins in the international community's call for an end to violence, aggression and oppression and for viewing the situation in Bosnia and Herzegovina as similar to those experienced by the human race in the darkest of times. We join also in the emphatic appeal to all the parties that are responsible, directly or indirectly, for aggression to cease immediately their siege and their attacks on the people of Bosnia and Herzegovina and to seek, in good faith, a solution to the conflict. We believe that there is an urgent need to resume the Geneva International Conference.

It is imperative that resolutions adopted by the Security Council with a view to putting an end to this tragic situation be implemented. Failure to comply with Security Council resolutions undermines the effectiveness of the means available to the international community for finding solutions to the serious problems confronting the community of nations.

The resolution that the General Assembly has just adopted contains numerous elements which we support and with which we agree fully. However, my delegation abstained in the voting because, from our point of view, the text also contains certain provisions that depart from the letter and the spirit of the United Nations Charter. Mexico's abstention is, in effect, a vote in favour of a solution in keeping with the principles of the United Nations Charter and therefore permanent and lasting.

Mr. BUTLER (Australia): The Australian Government remains deeply concerned at the appalling situation in Bosnia and Herzegovina. We condemn the continued attacks on Sarajevo and the fighting in other parts of Bosnia and Herzegovina, which are still causing death and injury and disrupting the delivery of humanitarian supplies. We deplore the so-called ethnic cleansing and the use of detention/concentration camps by all those engaged in those abhorrent practices. Such practices are a grave violation of the principles of international law and human rights.

The Australian Government continues to call on all parties to the fighting to abide by the various cease-fire arrangements and to end the bloodshed.

We therefore strongly support the resolution's aims of affirming the rights of Bosnia and Herzegovina under the Charter of the United Nations, bringing the violence there to an end, ending the grave violations of human rights which have been and are taking place, and restoring peace and stability to that country and to the region.

It is for these reasons - these central and compelling reasons - that we voted in favour of the resolution, even

though we continue to have reservations that the lifting of the arms embargo on Bosnia and Herzegovina would in itself facilitate a peaceful resolution of the fighting. Above all, the Australian Government wants to see a peaceful solution to this tragedy and an end to the fighting. We believe that our search for those outcomes requires the maintenance of international pressure upon the parties concerned. Furthermore, we believe that every effort should continue to be made to prevent the fighting from spreading to other areas and involving other countries.

Finally, we strongly support the actions taken to date by the Security Council to limit and end the fighting in Bosnia and Herzegovina, and we urge the Council to continue its efforts.

Mr. KEATING (New Zealand): New Zealand has sought two outcomes to the situation in Bosnia and Herzegovina: first, a just settlement of the differences which underlie the conflict by negotiation rather than the use of military force; and, secondly, humanitarian assistance for the alleviation of suffering.

The resolution on which the Assembly has just taken action addresses itself to both these questions. The resolution calls upon all concerned to facilitate the unhindered flow of humanitarian assistance. This is of critical importance. It reaffirms the rights of all refugees and displaced persons to return to their homes, and it rejects the practice of "ethnic cleansing". It urges that practical steps, such as the reopening of Tuzla airport, be taken.

New Zealand strongly supports all these provisions. We also support the efforts that have been made by the Secretary-General, through his Special Representative, by the United Nations Protection Force and by the European Union to secure effective commitments from the parties on humanitarian assistance. But the record of compliance is not encouraging, and we call on all parties to make good the commitment into which they have entered. There can be no justification whatsoever for blocking humanitarian supplies to the civilian population.

The resolution also deals with the principles on which a settlement must be based, and we support those principles. New Zealand has always strongly believed that a durable peace can be reached only as a result of a negotiated settlement. That is why we supported the Geneva negotiations and, before that, the Vance-Owen peace plan, and it is why we have supported efforts in the Security Council to ensure that the Bosnian Government is not put in a position in which its ability to negotiate freely is in any way limited. With respect to the current phase of negotiations, we are pleased that, under European Union auspices, the parties have agreed to continue negotiating.

We abstained in the voting on the resolution because, in our view, there are some elements that will not facilitate a negotiated settlement. In particular, we have difficulty with the request to the Security Council to give urgent consideration, as far as the Republic of Bosnia and Herzegovina is concerned, to the lifting of the arms embargo imposed on the former Yugoslavia by Security Council resolution 713 (1991).

We acknowledge the important efforts made by the sponsors to accommodate our concerns, but we remain of the view that increasing the flow of arms to the region will do nothing to promote a negotiated settlement. More weapons will not help the parties to reach a peaceful settlement. In fact, if there is a lesson to be learned from United Nations experiences in other regions, it is that a reduction in the number of weapons through disarming and demilitarization provides the only necessary basis for long-term security and stability. That security and stability is what the territory of the former Yugoslavia desperately needs.

Mr. CARDENAS (Argentina) *(interpretation from Spanish):* The Argentine Republic reiterates its full recognition of and respect for the political independence, territorial integrity and sovereign rights of Bosnia and Herzegovina. Moreover, it insists on the need to put an immediate end to the serious and systematic violations of the human rights of the people of Bosnia and Herzegovina and unequivocally and most strongly condemns the perverted practice of "ethnic cleansing", which is a disgrace to humanity and will be a true stigma on those who promote, practise or tolerate it. It also condemns the aggression of which Bosnia and Herzegovina is a victim, because it endangers international peace and security.

My delegation takes this opportunity to appeal once again for an end to the continued genocidal practices in the territory of Bosnia and Herzegovina. We call for an immediate end to the siege of Sarajevo and other cities and safe areas. We appeal to the all the parties to observe a cease-fire and halt the hostilities, which have already caused untold damage.

We stress the need for free access to and free distribution of humanitarian assistance, which the United Nations has striven to provide to a civilian population that is the innocent victim of the hatred, resentment and folly of those who have fed the flames of destruction. In this respect, we condemn all those who, on any pretext, interrupt, delay or divert the flow of assistance. They deserve our vigorous condemnation for their blatant scorn for the value of the human person.

We recognize the courage and sacrifice of all those who, whether in military uniforms or civilian clothes risk their lives daily in foreign lands for international peace and security, doing so with a nobility and generosity which can never be forgotten or ignored.

We urge respect for the civilian populations of Bosnia and Herzegovina, who should be allowed unimpeded access to water, electricity and fuel and should have their basic needs attended to.

We demand the elimination and dismantling of detention or concentration camps or centres throughout the territory of the former Yugoslavia and the renunciation of all forms of torture.

The Argentine Republic supports the speedy passing of judgement with regard to all crimes against the norms of humanitarian law committed in the territory of Bosnia and Herzegovina. It hopes for the vigorous condemnation of all those who are individually responsible for these crimes.

We urge the resumption of negotiations to resolve all aspects of the conflict by peaceful means and to find a just and lasting solution. We thank all those who are involved in this effort.

Despite all that I have said, because of the wording of some operative paragraphs my delegation decided to abstain in the voting on the resolution.

Mr. NYAKYI (United Republic of Tanzania): Although my delegation voted in favour of the resolution, we are deeply troubled by certain aspects of it. That is particularly the case with regard to operative paragraph 19, which in effect calls for the expulsion of Yugoslavia from the United Nations.

The improvement over the earlier text does not go far enough. Despite the new language, the result is still the expulsion of Yugoslavia from the United Nations, an objective to which my delegation cannot subscribe. We made that clear in the General Assembly on 22 September 1992, in the vote we cast on a similar draft resolution and in the explanation we gave before the voting. The position of the Tanzanian delegation remains the same: we see no justification for the expulsion of the Federal Republic of Yugoslavia from the United Nations. What is happening in Bosnia and Herzegovina is a civil war involving its three constituent communities. Each community is receiving external support; the conflict could not have gone on this long without such support. The draft resolution failed to take that reality into account.

The Tanzanian delegation is also troubled by what we see as the effect of the action proposed in paragraph 18. While its intent is clear and has our general sympathy, the effect, we fear, could be an escalation of the conflict, resulting in more suffering for all communities in Bosnia and Herzegovina. There have been far too many deaths and too much suffering and anguish. Our objective should be to stop the fighting and end the killing, not to aggravate the situation by creating conditions for an escalation of the conflict.

Miss THOMAS (Jamaica): The delegation of Jamaica voted in favour of draft resolution A/48/L.50 as an expression of our support for the suffering people of Bosnia and Herzegovina and our grave concern about the deepening crisis in that republic. However, we have serious reservations about paragraph 17, as it is our belief that the lifting of the arms embargo will not contribute to the achievement of peace, and about paragraph 19, concerning the ending of the de facto working status of the Federal Republic of Yugoslavia (Serbia and Montenegro), as it is our belief that the Federal Republic of Yugoslavia should remain within the United Nations, where, under the Charter, it can be held directly accountable for its actions. It will be recalled that Jamaica abstained in the vote on resolution 47/1 at the time of its adoption.

Mr. AYALA LASSO (Ecuador) *(interpretation from Spanish)*: On 24 September 1991, when the Security Council adopted its first resolution on the crisis in Yugoslavia, Ecuador, then a member of the Council, expressed its support for efforts to bring about a comprehensive, negotiated, peaceful settlement of the conflict based on the principles of the United Nations Charter and on international law. We condemned the use or threat of the use of force as a means of settling disputes. We referred to the need to respect the independence, sovereignty and territorial integrity of States, not to recognize any change of borders imposed by force, and to respect human rights, including due recognition of the rights of minorities. Ecuador stated then, and repeats today, that any solution that does not respect those principles can only engender new conflicts in the future. Our vigorous condemnation of human rights violations, and in particular the crime of "ethnic cleansing", remains valid today.

Since that time, regrettably, the situation in Bosnia and Herzegovina has continuously deteriorated. Humanitarian assistance has declined to intolerable levels. International action has proved both complicated and inadequate.

Ecuador considers that the resolution just adopted has the full moral and political authority needed to make the

parties stop and think, and cooperate with the United Nations in the search for a solution to the conflict, a solution that meets the legitimate rights and interests of Bosnia and Herzegovina. We need compliance with Security Council resolutions; even more, we need the implementation of the purposes and principles of the United Nations Charter. Only then will it be possible to establish peace, stability and justice in that long-suffering part of the world. There must be respect both for the rights of States and, above all, for the rights of every member of the population of Bosnia and Herzegovina, whose suffering and martyrdom are an affront to mankind.

Ecuador considers that the resolution just adopted constitutes a vigorous appeal along those lines, and for that reason we voted in favour.

Mr. SARDENBERG (Brazil): The delegation of Brazil fully shares the widespread sense of frustration at the inability to put an end to the murderous conflict in Bosnia and Herzegovina, a State Member of the United Nations, and we respect the initiative of the sponsors of draft resolution A/48/L.50. Many of its elements have our unreserved support. We agree that no acquisition of territory through the use of force can be condoned by the international community, and we share the utmost revulsion at the very notion of the heinous crime that has become known as "ethnic cleansing".

A humanitarian tragedy of unbearable proportions is being inflicted upon the people of Bosnia and Herzegovina, despite the untiring efforts of the United Nations Protection Force (UNPROFOR), United Nations agencies and private organizations to provide emergency relief assistance to those in need. The unhindered flow of such humanitarian assistance must be ensured.

My delegation welcomes the diplomatic efforts currently under way on the initiative of the European Union, as it firmly believes that only a solution arrived at through peaceful means acceptable to the three communities can bring lasting peace to Bosnia and Herzegovina, and that only through direct negotiations in good faith between all the parties to the conflict can such a solution be achieved.

As we see it, some elements of the resolution just adopted did not adequately reflect that perception. My delegation was therefore not in a position to support the draft resolution.

The PRESIDENT: The Assembly has concluded this stage of its consideration of agenda item 42.

AGENDA ITEMS 107, 108 (*continued*), 109 (*continued*), 110, 111, 112 (*continued*), 113 to 115, 172, 12

ELIMINATION OF RACISM AND RACIAL DISCRIMINATION: REPORT OF THE THIRD COMMITTEE (Parts I and II) (A/48/625 and Add.1)

RIGHT OF PEOPLES TO SELF-DETERMINATION

(a) RIGHT OF PEOPLES TO SELF-DETERMINATION: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/626)

(b) EFFECTIVE REALIZATION OF THE RIGHT OF SELF-DETERMINATION THROUGH AUTONOMY: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/626/Add.1)

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY: REPORT OF THE THIRD COMMITTEE (A/48/627)

CRIME PREVENTION AND CRIMINAL JUSTICE: REPORT OF THE THIRD COMMITTEE (A/48/628)

ADVANCEMENT OF WOMEN: REPORT OF THE THIRD COMMITTEE (A/48/629)

INTERNATIONAL DRUG CONTROL: REPORT OF THE THIRD COMMITTEE (A/48/630)

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS: REPORT OF THE THIRD COMMITTEE (A/48/631)

HUMAN RIGHTS QUESTIONS: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/632)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/632/Add.1)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS:

(i) REPORT OF THE THIRD COMMITTEE (PARTS III AND V) (A/48/632/Add.2 and Add.4)

(ii) REPORTS OF THE FIFTH COMMITTEE (A/48/795, A/48/796)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES:

(i) REPORT OF THE THIRD COMMITTEE (PART IV) (A/48/632/Add.3)

(ii) REPORT OF THE FIFTH COMMITTEE (A/48/797)

SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA: REPORT OF THE THIRD COMMITTEE (A/48/633)

NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS

(a) REPORT OF THE THIRD COMMITTEE (A/48/634)

(b) REPORT OF THE FIFTH COMMITTEE (A/48/798)

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL: REPORT OF THE THIRD COMMITTEE (A/48/624)

The PRESIDENT: I call on the Rapporteur of the Third Committee to introduce the reports of the Third Committee in a single intervention.

Mrs. RECINOS de MALDONADO (Guatemala), Rapporteur of the Third Committee *(interpretation from Spanish)*: I have the honour to introduce the following reports of the Third Committee on the agenda items allocated to it by the General Assembly.

On agenda item 107, "Elimination of racism and racial discrimination", the Third Committee, in paragraph 12 of document A/48/625, recommends the adoption of two draft resolutions. In paragraph 8 of document A/48/625/Add.1, it recommends the adoption of one draft resolution and in paragraph 9, the adoption of a draft decision.

Agenda item 108 is entitled "Right of peoples to self-determination". On sub-item (a), "Right of peoples to self-determination", the Third Committee, in paragraph 18 of document A/48/626, recommends the adoption of three draft resolutions. On sub-item (b), "Effective realization of the right of self-determination through autonomy", the Committee, in paragraph 11 of document A/48/626/Add.1, recommends the adoption of one draft decision.

On agenda item 109, "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family", the Third Committee, in paragraph 28 of document A/48/627, recommends the adoption of six draft resolutions; in paragraph 29, the Committee recommends the adoption of one draft decision.

On agenda item 110, "Crime prevention and criminal justice", the Third Committee, in paragraph 18 of document A/48/628, recommends the adoption of three draft resolutions.

On agenda item 111, "Advancement of women", the Third Committee, in paragraph 23 of document A/48/629, recommends the adoption of eight draft resolutions.

On agenda item 112, "International drug control", the Third Committee, in paragraph 7 of document A/48/630, recommends the adoption of one draft resolution.

On agenda item 113, "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", the Third Committee, in paragraph 31 of document A/48/631, recommends the adoption of six draft resolutions.

I turn now to agenda item 114, "Human rights questions". Under sub-item (a), "Implementation of human rights instruments", the Third Committee recommends the adoption of the two draft resolutions contained in paragraph 11 of document A/48/632/Add.1. I should like to inform the Assembly that Ireland has asked to be included in the list of sponsors of draft resolution I. In addition, the text that appears in document A/48/632/Add.3 as draft resolution VII should be moved to document A/48/632/Add.1, since it properly falls under sub-item (a) of agenda item 114 rather than sub-item (c).

Under sub-item (b), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", the Third Committee, in paragraph 88 of document A/48/632/Add.2, recommends the adoption of 21 draft resolutions. In document A/48/632/Add.4, the Third

Committee, in paragraph 14, recommends the adoption of one draft resolution and, in paragraph 15, of one draft decision.

Under sub-item (c), "Human rights situations and reports of special rapporteurs and representatives", the Third Committee, in paragraph 67 of document A/48/632/Add.3, recommends the adoption of 13 draft resolutions.

On agenda item 115, "Situation of human rights in Estonia and Latvia", the Third Committee, in paragraph 14 of document A/48/633, recommends the adoption of one draft resolution.

On agenda item 172, "Necessity of adopting effective measures for the promotion and protection of the rights of children throughout the world who are victims of especially difficult circumstances, including armed conflicts", the Third Committee, in paragraph 15 of document A/48/634, recommends the adoption of two draft resolutions.

On agenda item 12, "Report of the Economic and Social Council", the Third Committee, in paragraph 11 of document A/48/624, recommends the adoption of four draft decisions.

Draft decision I, "Organization of work of the Third Committee and draft biennial programme of work of the Committee for 1994-1995", should contain the following additions, which led to the Third Committee's adoption of the draft resolution that in the Committee appeared in document A/C.3/48/L.85 and was entitled "High Commissioner for the promotion and protection of all human rights".

First, in section E of annex I, under sub-item (b) of item 114, the subject "High Commissioner for the promotion and protection of all human rights" should be listed for annual consideration.

Secondly, in annex II, under sub-item (b) of item 114, two documents should be included: the report of the High Commissioner, which is submitted to the General Assembly through the Commission on Human Rights and the Economic and Social Council; and the report of the Secretary-General on the implementation of the draft resolution contained in document A/C.3/48/L.85.

Before concluding, I take this opportunity to express thanks to all the members of the Third Committee for their contribution to the Committee's work. I wish also to pay a tribute to the Chairman, Ambassador Eduard Kukan of Slovakia, and the two Vice-Chairmen, Mr. Berend van der Heijden of the Netherlands and Mrs. Noria Abdullah Ali Al-Hamami of Yemen, for the efforts they made to ensure the successful completion of the Committee's work on schedule.

My thanks go also to Ambassador Gilberto Saboya of Brazil and Ambassador Chew Tai Soo of Singapore, and very particularly to Ambassador José Ayala Lasso of Ecuador, for his valuable and effective efforts as Chairman of the Working Group, which led to the adoption of the draft resolution on the High Commissioner for the protection and promotion of all human rights. In addition, I express my thanks to the members of the Secretariat for their valuable cooperation and punctual performance of their duties.

The PRESIDENT: I should like to inform members that the representative of Bolivia has expressed a desire to make a statement in connection with the report of the Third Committee on sub-item (b) of agenda item 114 - "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms". That report is contained in document A/48/632/Add.2.

Bearing in mind rule 66 of the rules of procedure, may I take it that the Assembly agrees to discuss that report?

It was so decided.

The PRESIDENT: If there is no other proposal under rule 66 of the rules of procedure, I shall take it that the Assembly decides not to discuss the other reports of the Third Committee that are before the Assembly today.

It was so decided.

The PRESIDENT: Other statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401 the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in

plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Third Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Third Committee, unless notified otherwise in advance. This means that where recorded or separate votes were taken, we shall do the same in the Assembly. I would also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee.

The Assembly will now consider parts I and II of the report (A/48/625 and Add.1) of the Third Committee on agenda item 107, entitled "Elimination of racism and racial discrimination".

We shall first consider part I of the report of the Third Committee, contained in document A/48/625.

The Assembly will now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 12 of part I of its report.

Draft resolution I is entitled "Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Andorra, Argentina, Australia, Austria, Azerbaijan, Belgium, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 119 votes to 1, with 48 abstentions (resolution 48/89).*

The PRESIDENT: Draft resolution II is entitled "Report of the Committee on the Elimination of Racial Discrimination". The Third Committee adopted this draft resolution. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/90).

The PRESIDENT: We shall now consider part II of the report of the Third Committee, contained in document A/48/625/Add.1.

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 8 of part II of its report and the draft decision recommended by the Committee in paragraph 9.

We turn first to the draft resolution, entitled "Third Decade to Combat Racism and Racial Discrimination", which was adopted by the Third Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/91).

The PRESIDENT: We turn now to the draft decision, entitled "Draft model national legislation for the guidance of Governments in the enactment of further

legislation against racial discrimination, revised by the Secretariat in accordance with the comments made by the Committee on the Elimination of Racial Discrimination at its fortieth and forty-first sessions". It is recommended for adoption by the Third Committee. May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 107?

It was so decided.

The meeting rose at 1 p.m.

ANNEX

Changes in recorded and/or roll-call votes

Resolution 48/89

Subsequent to the voting, the delegation of Korea advised the Secretariat that it had intended to vote in favour; the delegation of France had intended to abstain.